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227. It is suggested that we not have rules on the subject, at least until more is known about the pattern of STV activities. However, although for that reason we have been willing to defer possible action in some of the areas discussed in the issues mentioned above, we believe that with regard to the instant issue the possible problems are rather clearly drawn, and that to defer action could lead to difficulties that by rule could be avoided. We know, for example, that within the normal service areas of television stations there may be poor reception at some places; that a small percentage of people are poor credit risks, that they may violate the terms of a contract with an STV operator, and that they may damage decoders installed in their homes; and that when an STV service is commencing operations in a community it may be more efficient and expeditious to install decoders on the basis of geographic sections.

228. The rule which we adopt (Section 73.642(f), Appendix D) takes such matters into consideration. We believe that it will avoid problems that might arise with regard to them, that it will not hinder STV operations, or, on the other hand, do a disservice to the public by unjustly preventing them from receiving STV programs which they desire to view. With regard to the relatively tiny percentage of the public who might not pay their bills, for example, we note that even in the public utility field precautions are taken on the matter. Thus, for example, it is common for a utility like a telephone company to include in its tariff rules a provision that the company may require potential customers to supply a surety bond or cash deposit satisfactory to the company, to assure payment for service. Moreover, they often provide that the company may terminate service for non-payment of bills. The fact that the tariffs state that the company "may" discontinue service, i.e., leaving the matter to the discretion of the company, instead of stating that the service "shall" be discontinued when certain conditions of non-payment prevail, raises certain questions about possible dissimilar treatment of customers by the utility which have not yet been solved. Be that as it may, we mention the tariffs to indicate that even in the utility field, of which the cornerstone is service to the public on demand, there are provisions of the type referred to. 41/ We do not find it unreasonable, therefore, to have similar provisions for STV service, for we think that they would do no more violence to the concept of broadcasting serving all of the general public than the telephone company provisions do to the concept of a public utility.

229. However, since the service is new, we do not know under exactly what circumstances precautions or other actions should be taken by STV operators or what the precautions or actions should be. This is an area as uncertain as the "may" vs. "shall" provision mentioned above. The rule which we adopt is broad enough to permit an STV operator, as Telemeter requests, to install a cash, rather than a credit decoder for poor credit risks, and to permit requirement of a reasonable deposit in advance for poor credit risks. However, we emphasize that we do not expect such cases to arise frequently, and that we regard as fundamental the concept that STV, like other broadcasting, is for the general public. We view actions like those just mentioned as reasonable under the circumstances, and as not precluding the

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41/ In other words, utilities must serve the public on demand--for a charge. They are not charities.